

AMENDED**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office AUG 17 2005Returned to applicant for correction OCT 11 2005Corrected application filed NOV 07 2005Map filed NOV 07 2005

The applicant **Vincent P. J. McMahon & Sandra J. McMahon, Trustees of the McMahon Living Trust dated July 24, 1992** hereby makes application for permission to change the **Point of Diversion, Manner & Place of Use of a portion** of water heretofore appropriated under **Permit 27565, Certificate 9459**

1. The source of water is **Underground**
2. The amount of water to be changed **0.0392 c.f.s., not to exceed 2.02 acre-feet**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation and domestic**
5. The water is to be diverted at the following point **SE ¼ NW ¼, Section 23, T.16N., R.19E., M.D.B.&M., or at a point from which the SW Corner of said Section 23 bears S. 24° 56' 49" W., a distance of 3708.44 feet**
6. The existing permitted point of diversion is located within **SE ¼ NW ¼, Section 23, T.16N., R.19E., M.D.B. & M., or at a point from which the W ¼ Corner of said Section 23 bears S. 89° 07' W., a distance of 1697 feet. See map filed under Permit 27565.**
7. Proposed place of use **portions of the SW ¼ NW ¼ and SE ¼ NW ¼, Section 23, T.16N., R.19E., M.D.B. & M. and further described as Washoe County APN 55-287-16 per the supporting map**
8. Existing place of use **3.86 acres SW ¼ NW ¼, 16.49 acres SE ¼ NW ¼, 0.082 acres NE ¼ SW ¼, all in Section 23, T.16N., R.19E., M.D.B. & M. 0.505 acres being removed from irrigation within the SW ¼ NW ¼ of said Section 23 as per the supporting map**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled and cased well equipped with pump, motor, meter and irrigation distribution system.**
12. Estimated cost of works **\$60,000.00**
13. Estimated time required to construct works **Three (3) years**
14. Estimated time required to complete the application of water to beneficial use **Six (6) years**

15. Remarks: Water being changed by this application is to be used for irrigation purposes within the proposed place of use.

By Gregory M. Bilyeu
s/ Deanna Brandenberger for Greg Bilyeu
500 Damonte Ranch Parkway, #1056
Reno, NV 89521

Compared lt/ gkl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 27565, Certificate 9459, is issued subject to the terms and conditions imposed in said Permit 27565, Certificate 9459, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for the irrigation of 0.505 acres within the described place of use.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0392 cubic feet per second, but not to exceed 2.02 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 13, 2008

Proof of completion of work shall be filed on or before:

August 13, 2008

Water must be placed to beneficial use on or before:

July 13, 2011

Proof of the application of water to beneficial use shall be filed on or before:

August 13, 2011

Map in support of proof of beneficial use shall be filed on or before:

August 13, 2011

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 13th day of July, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____